

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

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VICTOR TAGLE,

Plaintiff,

VS.

DEPARTMENT OF HOMELAND SECURITY,

Defendant.

Case No. 2:17-cv-02830-RFB-VCF

ORDER

**APPLICATION TO PROCEED IN FORMA PAUPERIS
(ECF No. 1)**

Before the Court is Victor Tagle's Application to Proceed In Forma Pauperis. (ECF No. 1). For the reasons discussed below, the Court denies Tagle's application and orders the Clerk of Court to administratively close this case.

There is no complaint attached to Tagle's Application. (ECF No. 1). This case solely consists of the Application. The Application appears to be filed in error, as Tagle filed another application and complaint four days later in Case No. 2:17-cv-02846-JAD-NJK.

ACCORDINGLY, and for good cause,

IT IS ORDERED that Tagle's Application to Proceed In Forma Pauperis (ECF No. 1) is denied.

IT IS FURTHER ORDERED that the Clerk of Court administratively close this case.

NOTICE

Pursuant to Local Rule IB 3-1, any objection to this Order must be in writing and filed with the Clerk of the Court within 14 days. The Supreme Court has held that the courts of appeal may determine that an appeal has been waived due to the failure to file objections within the specified time. *See Thomas v. Arn*, 474 U.S. 140, 142 (1985). This circuit has also held that (1) failure to file objections within the

1 specified time and (2) failure to properly address and brief the objectionable issues waives the right to
2 appeal the District Court's order and/or appeal factual issues from the order of the District Court. *Martinez*
3 *v. Ylst*, 951 F.2d 1153, 1157 (9th Cir. 1991); *Britt v. Simi Valley United Sch. Dist.*, 708 F.2d 452, 454 (9th
4 Cir. 1983).

5 IT IS SO ORDERED.

6 DATED this 12th day of December, 2017.



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8 CAM FERENBACH
9 UNITED STATES MAGISTRATE JUDGE
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